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Producer Queried On Interview Tactic

CBS Employee Defends Broadcast

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NEW YORK, Dec. 10—The producer of a 1982 CBS documentary that is the subject of retired general William C. Westmoreland's \$120 million libel case faced tough questions today about why he did not interview many of the people who have supported Westmoreland in a lower Manhattan courtroom over the last nine weeks.

George Crile, one of the co-defendants with CBS Inc., also was forced to explain a series of notes written by him and by Samuel A. Adams, another co-defendant, before the broadcast.

However, as the first of a number of CBS employees expected to be called to the stand by Westmoreland's attorney, Dan M. Burt, Crile also took advantage of his appearance to state part of the CBS side of the case. His vigorous defense of the broadcast finally drew a stern lecture from U.S. District Court Judge Pierre N. Leval.

"You are to answer the question that is put to you," he said. "You are not to use the opportunity to be on the stand to make speeches or use the question that is given to you as an opportunity to say things that help your case, which are not responsive to the question."

But Leval later had to soften his orders to the witness, after Crile appeared to be stopping short of full answers to Burt's questions.

As the trial moved into its tenth week, with Leval wryly declaring that the official midway point had

passed at 11:07 this morning, Westmoreland's lawyer is moving away from the questions of what happened in Vietnam and turning to the issues of how CBS made the January 1982 broadcast called "The Uncounted Enemy: A Vietnam Deception."

Asked by Burt why he did not interview former ambassador Robert Komer, retired admiral U.S. Grant Sharp and others who have testified on Westmoreland's behalf, Crile noted that the CBS team had talked to more than 80 other people. He said repeatedly that he did not pursue some of the top military and government officials from the Vietnam era primarily because "the commander"—Westmoreland—had already given the "CBS Reports" team his version of a crucial meeting in May 1967 that became the centerpiece of the broadcast.

At that meeting, Crile testified, Westmoreland said he would not pass on higher enemy troop data because it would cause "political problems" in Washington. That alleged act by the general in charge of ground forces in Vietnam, which Crile described as "improper" to the court, was the basis for the broadcast accusation that Westmoreland's command suppressed higher enemy troop data or "cooked the books" in 1967 to maintain support for the war.

Westmoreland said on the stand that he held up the intelligence report because he wanted a complete briefing and because he felt the report counted civilians as well as en-

emy soldiers. Toward the end of the day, Crile was asked why he did not try to contact Westmoreland's intelligence chief in Vietnam in late 1967, retired brigadier general Phillip Davidson, who also testified for the general earlier in the trial.

"It was my understanding at that time that Gen. Davidson had had a serious cancer, that he was a terminal patient," Crile said. "It was the word in the intelligence community . . ."

But later, Burt presented Crile with questions he had written out for narrator-reporter Mike Wallace when Wallace interviewed Westmoreland on camera for the show.

"We want to get Westmoreland to say that [his former intelligence chief Joseph] McChristian was great stuff, totally reliable. We don't give a goddam about Davidson . . .," Burt read from Crile's notes.

Crile said he wanted to "underscore for Mike that it was important that we didn't mix the two intelligence chiefs at that time." McChristian was Westmoreland's intelligence chief early in 1967 and is expected to testify for CBS that Westmoreland refused to pass on his intelligence data because it would drop "a political bombshell."

Burt, who occasionally vented what appeared to be his indignation about the way CBS had treated his client, at one point accused Crile of having "destroyed" a tape recording of one of his telephone conversations with former defense secretary Robert S. McNamara, who told the court Thursday that he had believed those phone conversations had been private.

Crile, who answered that he "did not" destroy a tape of the interviews, said he provided the only tape that he found and that if there was a second tape, he may have lost it or reused it.

Special correspondent John Kennedy contributed to this report.